

Thomas A. Egan, Esq. (TE-0141) FLEMMING ZULACK WILLIAMSON ZAUDERER LLP One Liberty Plaza New York, New York 10006-1404 (212) 412-9500

Attorneys for Defendant Apollo Enterprise Solutions, L.L.C.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

DEBT RESOLVE, INC., 07 Civ. 4531 (JSR)

> Plaintiffs, (ECF)

- against -**NOTICE OF MOTION FOR**

ORDER ADMITTING JAN P. APOLLO ENTERPRISE SOLUTIONS, L.L.C., : WEIR, STEVEN M. HANLE, AND

JENNIFER A. TRUSSO PRO

Defendant. HAC VICE

PLEASE TAKE NOTICE that upon the accompanying affidavit of Thomas A.

Egan, sworn to July 10, 2007, the Declarations of Jan P. Weir, Steven M. Hanle and Jennifer A. Trusso, executed on July 5, 2007, July 6, 2007 and July 5, 2007, respectively, and the exhibits annexed thereto, and all prior pleadings and proceedings in this action, Defendant Apollo Enterprise Solutions, L.L.C. will move this Court on submission at Courtroom 14-B, 500 Pearl Street, New York, New York 10007, for an Order, pursuant to Local Rule 1.3(c), admitting Jan P. Weir, Steven M. Hanle and Jennifer A. Trusso, attorneys in good standing of the Bar of the State of California, to participate as counsel in discovery, argument, trial, and all other aspects of this action.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Rule 6.1(b),

answering papers, if any, shall be served ten (10) business days from the date hereof.

Dated: New York, New York July 10, 2007

FLEMMING ZULACK WILLIAMSON ZAUDERER LLP Attorneys for Defendant Apollo Enterprise Solutions, L.L.C.

Thomas A. Egan (TE-9/41

One Liberty Plaza New York, New York 10006-1404 (212) 412-9500

Thomas A. Egan, Esq. (TE-014 FLEMMING ZULACK WIL One Liberty Plaza New York, New York 10006-14 (212) 412-9500	LIAMSON ZAU	DERER	LLP
Attorneys for Defendant Apollo	Enterprise Solution	ons, L.L	.C.
UNITED STATES DISTRICT SOUTHERN DISTRICT OF N	EW YORK	x	
DEBT RESOLVE, INC.,		: : 07 (Civ. 4531 (JSR)
P	laintiffs,	(EC	F)
- against - APOLLO ENTERPRISE SOLU	JTIONS, L.L.C.,	EGA MO	FIDAVIT OF THOMAS A. AN, ESQ. IN SUPPORT OF TION FOR ADMISSIONS
D	efendant.	:	O HAC VICE
,	ss.:		
COUNTY OF NEW YORK)			

THOMAS A. EGAN, being duly sworn, deposes and says:

- 1. I am a member in good standing of the Bar of this Court and am Of Counsel to the firm of Flemming Zulack Williamson Zauderer LLP, local counsel to Defendant Apollo Enterprise Solutions, L.L.C.("Apollo") in the above-captioned action. I make this affidavit in support of Apollo's motion for an Order, pursuant to Local Rule 1.3(c), admitting Jan P. Weir, Steven M. Hanle and Jennifer A. Trusso *pro hac vice* to participate in discovery, argument, trial and all other aspects of the action.
- 2. In support of this motion, I respectfully refer the Court to the accompanying declarations of Jan P. Weir, Steven M. Hanle and Jennifer A. Trusso for the facts set forth

Case 1:07-cv-04531-JSR

therein, including the facts as to their admission to practice law in the State of California. As indicated in their declarations, Messrs. Weir and Hanle and Ms. Trusso are attorneys in good standing with the California Bar who practice with the law firm of Stradling Yocca Carlson and Rauth, located at 660 Newport Center Drive, Suite 1600, Newport Beach, California 92660. Stradling Yocca Carlson and Rauth is counsel to Apollo Enterprises in the above-captioned action and in related litigation pending in the State of California.

- 3. I have worked with Messrs. Weir and Hanle and Ms. Trusso on several different matters over the past three years, and know them to be of high moral character.
- 4. There is good cause for the pro hac vice admissions of Messrs. Weir and Hanle and Ms. Trusso as they are fully familiar with the facts, issues, and pleadings in this action, and no delay in these proceedings would occur as a result of their acting as attorney for Apollo in this matter.
- 5. I respectfully submit that Messrs. Weir and Hanle and Ms. Trusso should be admitted to participate pro hac vice in discovery, argument, trial and all other aspects of this action. (A proposed form of Order is attached hereto as Exhibit 1.)

THOMAS A EGAN

Sworn to before me

this 10th day of July

294554/24235

BEVERLY R. NACHIMSON Notary Public, State of New York No. 01NA6153052 Qualified in New York County Commission Expires September 25, 20/2

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	X
DEBT RESOLVE, INC., Plaintiffs,	: 07 Civ. 4531 (JSR) : (ECF)
- against - APOLLO ENTERPRISE SOLUTIONS, L.L.C., Defendant.	ORDER FOR ADMISSION PRO HAC VICE OF JAN P. WEIR, STEVEN M. HANLE AND JENNIFER A. TRUSSO

JED S. RAKOFF, UNITED STATES DISTRICT JUDGE:

THIS MATTER having come before the Court upon the application of Flemming, Zulack Williamson Zauderer LLP, counsel for defendant Apollo Enterprise Solutions, L.L.C., for an Order admitting, *pro hac vice*, Jan P. Weir, Steven M. Hanle and Jennifer A. Trusso of the law firm of Stradling Yocca Carlson & Rauth located at 660 Newport Center Drive, Suite 1600, Newport Beach, California 92660; and the Court having considered the Affidavit of Thomas A. Egan and the Declarations of Mr. Weir, Mr. Hanle and Ms. Trusso in support of the admission of Messers. Weir and Hanle and Ms. Trusso *pro hac vice*, and for good cause shown,

IT IS on this ____ day of July 2007;

ORDERED that Jan P. Weir, Steven M. Hanle and Jennifer A. Trusso of the law firm of Stradling Yocca Carlson & Rauth are hereby admitted to practice *pro hac vice* in this matter on behalf of defendant Apollo Enterprise Solutions, L.L.C.; and

IT IS FURTHER ORDERED that Jan P. Weir, Steven M. Hanle and Jennifer A.

Trusso shall be subject to the Local Rules of this Court, including the Rules governing discipline of attorneys; and

IT IS FURTHER ORDERED that Jan P. Weir, Steven M. Hanle and Jennifer A.

Trusso shall each immediately register for an ECF password at nysd.uscourts.gov.

SO ORDERED:

Honorable Jed S. Rakoff U.S.D.J.

Thomas A. Egan, Esq. (TE-0141) **FLEMMING ZULACK WILLIAMSON ZAUDERER LLP**One Liberty Plaza
New York, New York 10006-1404
(212) 412-9500

Attorneys for Defendant Apollo Enterprise Solutions, L.L.C.

JAN P. WEIR, ESQ., under penalty of perjury pursuant to 28 U.S.C. § 1746, declares as follows:

- 1. I submit this declaration in support of the application of defendant Apollo Enterprise Solutions, L.L.C. ("Apollo") for an Order permitting me to appear and participate in discovery, argument, trial and all other aspects of the above-captioned matter pursuant to Local Rule 1.3.
- 2. I am a member of the law firm of Stradling Yocca Carlson and Rauth, located at 660 Newport Center Drive, Suite 1600, Newport Beach, California 92660. Stradling Yocca Carlson and Rauth is counsel to Apollo in the above-captioned action and in related litigation pending in the State of California.
 - 3. I reside in the State of California. I do not reside in New York.

- 4. My office address is 660 Newport Center Drive, Suite 1600, Newport Beach, California 92660.
- 5. I am an attorney in good standing of the Bar of the State of California, having been admitted to practice there in 1982. I am also an attorney in good standing of the Bar of the United States District Court for the Central District of California. Attached collectively as Exhibit A to this declaration are Certificates of Good Standing from each of the aforementioned Courts, each issued within the last thirty (30) days, verifying my admission and my good standing.
 - 6. I have never been held in contempt of court.
 - 7. I have never been censured, suspended, or disbarred by any court.
- 8. I have read, am familiar with, and will adhere to each of the following:
 - The provisions of The Judicial Code (Title 28, U.S.C.) that pertain to the jurisdiction of, and practice in, the United States District Court;
 - The Federal Rules of Civil Procedure for the District Courts;
 - The Federal Rules of Evidence; and
 - The Local Rules of the United States District Courts for the Southern and Eastern Districts of New York.
- 9. I have been retained to represent Apollo in the action currently before this Court.
- 10. I am not regularly employed in New York, nor am I regularly engaged in business, professional or similar activities in New York.
- 11. I designate Thomas A. Egan of Flemming Zulack Williamson Zauderer LLP, One Liberty Plaza, New York, New York 10006, to act as local counsel,

with whom the Court and opposing counsel may readily communicate regarding the conduct of the case and upon whom papers may be served. Mr. Egan is a member of the Bar of this Court and maintains an office within this District.

I declare under penalties of perjury that the foregoing is true and correct.

Executed on July 5, 2007

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 18, 2007

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JAN WEIR, #106652 was admitted to the practice of law in this state by the Supreme Court of California on December 3, 1982; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert

Hatt Talet

Custodian of Membership Records

United States District Court

Central District of California

CERTIFICATE OF GOOD STANDING

SHERRI R. CARTER, Clerk of this Court, certify that I, Jan P. Weir, Bar No. 106652,

was duly admitted to practice in this Court on May 4, 1984 and is in good standing as a member of the Bar of this Court.

Dated at Los Angeles, California June 12, 2007

SHERRI R. CA

By 770mm/Denuty Clerk

Thomas A. Egan, Esq. (TE-0141) **FLEMMING ZULACK WILLIAMSON ZAUDERER LLP**One Liberty Plaza
New York, New York 10006-1404
(212) 412-9500

Attorneys for Defendant Apollo Enterprise Solutions, L.L.C.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	v
DEBT RESOLVE, INC.,	: 07 Civ. 4531 (JSR)
Plaintiffs,	: (ECF)
- against -	DECLARATION OF STEVEN M. HANLE, ESQ. IN
APOLLO ENTERPRISE SOLUTIONS, L.L.C.,	, ,
Defendant.	: ADMISSION PRO HAC VICE
	·

STEVEN M. HANLE, ESQ., under penalty of perjury pursuant to 28 U.S.C. § 1746, declares as follows:

- 1. I submit this declaration in support of the application of defendant Apollo Enterprise Solutions, L.L.C. ("Apollo") for an Order permitting me to appear and participate in discovery, argument, trial and all other aspects of the above-captioned matter pursuant to Local Rule 1.3.
- I am a member of the law firm of Stradling Yocca Carlson and
 Rauth, located at 660 Newport Center Drive, Suite 1600, Newport Beach, California
 Stradling Yocca Carlson and Rauth is counsel to Apollo in the above-captioned
 action and in related litigation pending in the State of California.
 - 3. I reside in the State of California. I do not reside in New York.

Case 1:07-cv-04531-JSR

- My office address is 660 Newport Center Drive, Suite 1600, 4. Newport Beach, California 92660.
- I am an attorney in good standing of the Bar of the State of 5. California, having been admitted to practice there in 1993. I am also an attorney in good standing in each of the United States District Courts for the Northern, Southern, and Central Districts of California and in the United States Court of Appeals for the Ninth Circuit. Attached collectively as Exhibit A to this declaration are Certificates of Good Standing from each of the aforementioned Courts, each issued within the last thirty (30) days, verifying my admission and my good standing.
 - 6. I have never been held in contempt of court.
 - 7. I have never been censured, suspended, or disbarred by any court.
- 8. I have read, am familiar with, and will adhere to each of the following:
 - The provisions of The Judicial Code (Title 28, U.S.C.) that pertain to the jurisdiction of, and practice in, the United States District Court;
 - The Federal Rules of Civil Procedure for the District Courts:
 - The Federal Rules of Evidence; and
 - The Local Rules of the United States District Courts for the Southern and Eastern Districts of New York.
- I have been retained to represent Apollo in the action currently 9. before this Court.
- 10. I am not regularly employed in New York, nor am I regularly engaged in business, professional or similar activities in New York.

2 I designate Thomas A. Egan of Flemming Zulack Williamson Zauderer LLP, One Liberty Plaza, New York, New York 10006, to act as local counsel, with whom the Court and opposing counsel may readily communicate regarding the conduct of the case and upon whom papers may be served. Mr. Egan is a member of the Bar of this Court and maintains an office within this District.

I declare under penalties of perjury that the foregoing is true and correct.

Executed on July ______, 2007

STEVĒN M. HANLE

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 18, 2007

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, STEVEN MARK HANLE, #168876 was admitted to the practice of law in this state by the Supreme Court of California on December 13, 1993; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert

Custodian of Membership Records

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA	Ì.
--------------------------	----

SOUTHERN DISTRICT OF CALIFORNIA

ss

I, W. Samuel Hamrick, Jr., Clerk of the United States District Court for the Southern District of California,

DO HEREBY CERTIFY That Steven M. Hanle was duly admitted to practice in said Court on 04/25/1995, and is in good standing as a member of the bar of said Court

Dated at San Diego, CA		W. SAMUEL HAMRICK, JR.
-		Clerk
on June 12, 2007	Bv	P. Delactum.
•	J	Denuty Clerk

of the bar of said Court.

Certificate of Good Standing

United States of District Court

) ss.

Northern District of California

duly admitted to practice in said Court on May 26, 1994, and is in good standing as a member District of California, do hereby certify that Reven M. Hande, Bar No. 168876 was I, Richard W. Wieking, Clerk of the United States District Court for the Northern

Dated at San Francisco on June 12, 2007 Tachard W. Wishing

United States District Court

Central District of California

CERTIFICATE OF GOOD STANDING

SHERRI R. CARTER, Clerk of this Court, certify that I, Steven M. Hanle, Bar No. 168876,

was duly admitted to practice in this Court on December 22, 1993 and is in good standing as a member of the Bar of this Court.

Dated at Los Angeles, California

June 12, 2007

SHERRI R.

United States Court of Appeals

FOR THE NINTH CIRCUIT

CERTIFICATE OF GOOD STANDING

<i>I</i> ,	Cathy A. Catterson	
certify that	STEVEN MARK H	HANLE was duly admitted
to pro	actice in this Court on	November 21, 1994 Date
	and is in good stand	ling in this Court.
Dated at _	San Francisco, CA Location	on <u>June 13, 2007</u> Date
Co	ahy C. Catterson	DEPUTY CLERK

Thomas A. Egan, Esq. (TE-0141) FLEMMING ZULACK WILLIAMSON ZAUDERER LLP One Liberty Plaza New York, New York 10006-1404 (212) 412-9500

Attorneys for Defendant Apollo Enterprise Solutions, L.L.C.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK 07 Civ. 4531 (JSR) DEBT RESOLVE, INC., Plaintiffs, (ECF) **DECLARATION OF** - against -JENNIFER A. TRUSSO, ESQ. IN SUPPORT OF MOTION FOR HER

APOLLO ENTERPRISE SOLUTIONS, L.L.C., :

ADMISSION PRO HAC VICE

Defendant.

JENNIFER A. TRUSSO, ESQ., under penalty of perjury pursuant to 28 U.S.C. § 1746, declares as follows:

- I submit this declaration in support of the application of defendant Apollo Enterprise Solutions, L.L.C. ("Apollo") for an Order permitting me to appear and participate in discovery, argument, trial and all other aspects of the above-captioned matter pursuant to Local Rule 1.3.
- 2. I am a partner in the law firm of Stradling Yocca Carlson and Rauth, located at 660 Newport Center Drive, Suite 1600, Newport Beach, California 92660. Stradling Yocca Carlson and Rauth is counsel to Apollo in the above-captioned action and in related litigation pending in the State of California.
 - 3. I reside in the State of California. I do not reside in New York.

- 4. My office address is 660 Newport Center Drive, Suite 1600, Newport Beach, California 92660.
- 5. I am an attorney in good standing of the Bar of the State of California, having been admitted to practice there in 1998. I am also an attorney in good standing in each of the United States District Courts for the Northern, Southern and Central Districts of California. Attached collectively as Exhibit A to this declaration are Certificates of Good Standing from each of the aforementioned Courts, each issued within the last thirty (30) days, verifying my admission and my good standing.
 - 6. I have never been held in contempt of court.
 - 7. I have never been censured, suspended, or disbarred by any court.
- 8. I have read, am familiar with, and will adhere to each of the following:
 - The provisions of The Judicial Code (Title 28, U.S.C.) that pertain to the jurisdiction of, and practice in, the United States District Court;
 - The Federal Rules of Civil Procedure for the District Courts:
 - The Federal Rules of Evidence; and
 - The Local Rules of the United States District Courts for the Southern and Eastern Districts of New York.
- 9. I have been retained to represent Apollo in the action currently before this Court.
- I am not regularly employed in New York, nor am I regularly 10. engaged in business, professional or similar activities in New York.
- 11. I designate Thomas A. Egan of Flemming Zulack Williamson Zauderer LLP, One Liberty Plaza, New York, New York 10006, to act as local counsel,

with whom the Court and opposing counsel may readily communicate regarding the conduct of the case and upon whom papers may be served. Mr. Egan is a member of the Bar of this Court and maintains an office within this District.

I declare under penalties of perjury that the foregoing is true and correct.

Executed on July $\frac{\hat{\mathcal{L}}}{2}$, 2007

JENNIFER A. TRUSSO

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 18, 2007

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, JENNIFER ANN TRUSSO, #198579 was admitted to the practice of law in this state by the Supreme Court of California on December 7, 1998; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert

Kair Las

Custodian of Membership Records

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

SOUTHERN DISTRICT OF CALIFORNIA

ss.

I, W. Samuel Hamrick, Jr., Clerk of the United States District Court for the Southern District of California,

DO HEREBY CERTIFY That Jennifer A. Trusso was duly admitted to practice in said Court on 09/24/1999, and is in good standing as a member of the bar of said Court

Dated at San Diego, CA

W. SAMUEL HAMRICK, JR.

Clerk

on June 12, 2007

By.

Deputy Clerk

Certificate of Good Standing

United States of District Court

) ss.

Northern District of California

of the bar of said Court. duly admitted to practice in said Court on April 8, 2005, and is in good standing as a member District of California, do hereby certify that **Jennifer A. Trusso, Bar No. 198579** was I, Richard W. Wieking, Clerk of the United States District Court for the Northern

Dated at San Francisco on June 12, 2007 Townard W. Wiedering

United States District Court

Central District of California

CERTIFICATE OF GOOD STANDING

I, SHERRI R. CARTER, Clerk of this Court, certify that Jennifer A. Trusso, Bar No. 198579,

was duly admitted to practice in this Court on December 7, 1998

DATE

and is in good standing as a member of the Bar of this Court.

Dated at Los Angeles, California

on June 12, 2007

DATE

SHERRI R. CARTER, CLERK

By Morys Mena / Deputy Clerk

CERTIFICATION OF SERVICE

I, THOMAS A. EGAN, an attorney admitted to the Bar of this Court, hereby certify that on July 10, 2007, I caused a true and correct copy of the attached NOTICE OF MOTION FOR ORDER ADMITTING JAN P. WEIR, STEVEN M. HANLE, AND JENNIFER A. TRUSSO *PROHAC VICE*, together with the supporting Affidavit and Supporting Declarations and the exhibit thereto, to be served upon counsel for plaintiff by having same placed in an envelope bearing first class postage addressed to Daniel A Ladow, Esq., Dreir, LLP, 499 Park Avenue, New York, New York 10022 and thereafter having that envelope placed in a mail box maintained by the United State Postal Service for the purpose of depositing mail for delivery.

THOMAS A FRAN

Dated: New York, New York July 10, 2007

295843

X : : 07 Civ. 4531 (JSR)
(ECF)
ORDER FOR ADMISSION PRO HAC VICE OF JAN P. WEIR, STEVEN M. HANLE AND JENNIFER A. TRUSSO
_

JED S. RAKOFF, UNITED STATES DISTRICT JUDGE:

INTERPORTATION COLDS

THIS MATTER having come before the Court upon the application of Flemming, Zulack Williamson Zauderer LLP, counsel for defendant Apollo Enterprise Solutions, L.L.C., for an Order admitting, *pro hac vice*, Jan P. Weir, Steven M. Hanle and Jennifer A. Trusso of the law firm of Stradling Yocca Carlson & Rauth located at 660 Newport Center Drive, Suite 1600, Newport Beach, California 92660; and the Court having considered the Affidavit of Thomas A. Egan and the Declarations of Mr. Weir, Mr. Hanle and Ms. Trusso in support of the admission of Messers. Weir and Hanle and Ms. Trusso *pro hac vice*, and for good cause shown,

IT IS on this ___ day of July 2007;

ORDERED that Jan P. Weir, Steven M. Hanle and Jennifer A. Trusso of the law firm of Stradling Yocca Carlson & Rauth are hereby admitted to practice *pro hac vice* in this matter on behalf of defendant Apollo Enterprise Solutions, L.L.C.; and

IT IS FURTHER ORDERED that Jan P. Weir, Steven M. Hanle and Jennifer A.

Trusso shall be subject to the Local Rules of this Court, including the Rules governing discipline of attorneys; and

IT IS FURTHER ORDERED that Jan P. Weir, Steven M. Hanle and Jennifer A.

Trusso shall each immediately register for an ECF password at nysd.uscourts.gov.

SO ORDERED:

Honorable Jed S. Rakoff U.S.D.J.